

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNIVERSITY OF PITTSBURGH OF THE
COMMONWEALTH SYSTEM OF HIGHER
EDUCATION d/b/a UNIVERSITY OF
PITTSBURGH, a Pennsylvania non-profit
corporation (educational),

Plaintiff,

v.

VARIAN MEDICAL SYSTEMS, INC., a
Delaware corporation,

Defendant.

No. C-08-2973 MMC

**ORDER GRANTING IN PART AND
DENYING IN PART PLAINTIFF'S
ADMINISTRATIVE MOTION TO FILE
EXHIBITS UNDER SEAL**

Before the Court is plaintiff's Administrative Motion, filed July 11, 2008, to file under seal Exhibits three through ten, twenty, twenty-one, and twenty-three to the Declaration of Rita E. Tautkus filed in support of plaintiff's opposition to defendant's motion to transfer the instant action to the Western District of Pennsylvania.

On July 17, 2008, plaintiff, in support of its Administrative Motion, filed a Supplemental Declaration of Rita E. Tautkus, in which plaintiff identifies the entity or individual by whom each such exhibit was designated as confidential. Specifically, plaintiff states that: (1) Exhibits three through nine were designated as confidential by defendant; (2) Exhibits ten, twenty, and twenty-one were designated as confidential by defendant and

Also on July 22, 2008, plaintiff filed Exhibit twenty-three in the public record, as Exhibit F to the “Declaration of Rita E. Tautkus in Response to July 16, 2008 Court Order Re: Administrative Motions to Seal Documents.”

Accordingly,

2. The Administrative Motion is DENIED with respect to Exhibits three through nine, and plaintiff is hereby DIRECTED to file said exhibits in the public record no later than August 22, 2008. If plaintiff fails to timely file said exhibits in the public record, the Court will not consider them in ruling on defendant's motion to transfer.

3. The Administrative Motion is DENIED as moot with respect to Exhibit twenty-three, for the reason that said exhibit has been filed in the public record.

IT IS SO ORDERED.

Dated: August 19, 2008

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